Los Angeles County Sheriff's Department

Officer Involved Shooting

Report Date:	Bureau/Station/Facility:	Admin. Invest.?	Hit?
February 14, 2016	Central Patrol Division / East Los Angeles Station	✓	✓

Incident Information

URN: 016-02215-0294-013	Date: February 14, 2016 Time: 0350 hours
City or Station: East Los Angeles Station	Nature of Incident: Deputies contacted an armed suspect during a traffic stop. A struggles ensued which led to deputy involved shooting.
Location: 4840 Whittier Boulevard, East Los Angeles CA	

Location Type (*check one or more*):
- [ ] Backyard
- [ ] Beach
- [ ] Business
- [ ] Freeway
- [ ] Industrial
- [ ] Park
- [ ] Parking Lot
- [ ] Residence
- [ ] Rural
- [ ] School
- [x] Street
- Other:

Lighting (*check only one*):
- [ ] Darkness
- [ ] Daylight
- [ ] Other
- [x] Street Lights

Weather (*circle only one*):
- [x] Clear
- [ ] Cloudy
- [ ] Fog
- [ ] Rain

Distance:

Incident Type (*check one or more*):
- [ ] Accidental
- [x] Armed Person
- [ ] Fleeing Suspect
- [ ] Foot Pursuit
- [ ] Gun Take Away
- [ ] Moving Vehicle
- [ ] Sniper/Ambush
- [ ] Startle
- [x] Struggle Involved
- [x] Traffic Stop
- [ ] Unarmed Person
- [ ] Unintentional
- [ ] Vehicle Pursuit
- [ ] Warrant Service
- [ ] Warning Shot
- Other:

Initiated by (*check only one*):
- [ ] Arrest Warrant
- [ ] Call
- [x] Observation
- [ ] One Person Unit
- [ ] Other
- [ ] Search Warrant
- [ ] Two Person Unit

Prior Activity (*check only one*):
- [ ] Detective
- [ ] Inmate Transport
- [ ] Other
- [x] Routine Patrol

Aero Unit? [ ] Canine Unit? [ ]

Total # of Shots Fired by Deputy	Total # of Shots Fired by Suspect
19	0

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (*check only one*)	ShiftType (*check only one*)
[redacted]	[redacted]	[redacted]	[redacted]	[redacted] EM [redacted] PM [redacted] Day	[redacted] Regular [redacted] Overtime [redacted] Off Duty
[redacted]	[redacted]	[redacted]	[redacted]	[redacted] EM [redacted] PM [redacted] Day	[redacted] Regular [redacted] Overtime [redacted] Off Duty
[redacted]	Mariscal-Cruz	Jesus	J.	[x] EM [ ] PM [ ] Day	[x] Regular [ ] Overtime [ ] Off Duty

Non-Employee Witnesses

Last Name	First Name	M.I.	Street Address	City	Zip Code	Work Ph	Home Ph
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]		[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]		[redacted]

Supervisors

Employee #	Last Name	First Name	M.I.	(*check one or more*)
[redacted]	[redacted]	[redacted]	[redacted]	[x] On Duty [x] Present during shooting [x] Witness to shooting [ ] Involved in shooting
[redacted]	Mort	Veronica	N/A	[x] On Duty [ ] Present during shooting [ ] Witness to shooting [ ] Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
[redacted]	Heridia	Francisco	D.

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	Dusky	Jeffrey	W.

PSTD Use Only

SH # 2395472

SUPPLEMENTAL EMPLOYEE WITNESSES
Los Angeles County Sheriff's Department

Employee Witnesses

Last Name	First Name	M.I.	Street Address	Zip Code	Work Ph	Home Ph
Huerta	Argelia	NMN	East Los Angeles Station #[redacted]		323-264-4151	
[redacted]	[redacted]	[redacted]	East Los Angeles Station #[redacted]		323-264-4151	
[redacted]	[redacted]	[redacted]	East Los Angeles Station #[redacted]		323-264-4151	

Officer Involved Shooting
Involved Employee Information

URN: 016-02215-0294-013

Involved Employee

E 1

Employee # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]
Sex [redacted] Race: [redacted]	Rank: DSG	Unit Assignment: East Los Angeles Station	Work Assignment (Unit #, [redacted]
ShiftTime (*circle only one*): [redacted] EM [redacted] PM [redacted] Day	ShiftType (*circle only one*): [redacted] Regular [redacted] Overtime [redacted] Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: Interviewed? ☑
Hrs of sleep prior to shooting: 8	Duty Time (hrs): [redacted]	Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Plain Clothes w/ Vest ☐ Raid Jacket no Vest ☐ Raid Jacket w/ Vest ☐ Uniform no Vest ☑ Uniform w/ Vest	Other Factors:
Age: [redacted] Height: [redacted]	Weight: [redacted]		
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted] Prior Shootings? [redacted]	Number of Prior Shootings: [redacted] Directed Force: [redacted]
Weapons Fired Brand: S&W M&P9	Caliber: 9mm # Shots: 4	Weapons Fired Brand:	Caliber: # Shots:
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]

E 2

Employee # [redacted]	Last Name: Alatorre	First Name: Andrew	M.I. H.
Sex: M Race: H	Rank: DSG	Unit Assignment: East Los Angeles Station	Work Assignment (Unit #, Module, etc.): Unit 21
ShiftTime (*circle only one*): ☑ EM ☐ PM ☐ Day	ShiftType (*circle only one*): ☑ Regular ☐ Overtime ☐ Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: Interviewed? ☑
Hrs of sleep prior to shooting: 8	Duty Time (hrs): [redacted]	Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Plain Clothes w/ Vest ☐ Raid Jacket no Vest ☐ Raid Jacket w/ Vest ☐ Uniform no Vest ☑ Uniform w/ Vest	Other Factors:
Age: [redacted] Height: 511	Weight: 150		
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted] Prior Shootings? ☑	Number of Prior Shootings: 1 Directed Force: [redacted]
Weapons Fired Brand: Beretta 92FS	Caliber: 9mm # Shots: 19	Weapons Fired Brand:	Caliber: # Shots:
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]

E

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank:	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): ☐ EM ☐ PM ☐ Day	ShiftType (*circle only one*): ☐ Regular ☐ Overtime ☐ Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Plain Clothes w/ Vest ☐ Raid Jacket no Vest ☐ Raid Jacket w/ Vest ☐ Uniform no Vest ☐ Uniform w/ Vest	Other Factors:
Age: Height:	Weight:		
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit: Prior Shootings? ☐	Number of Prior Shootings: Directed Force: ☐
Weapons Fired Brand:	Caliber: # Shots:	Weapons Fired Brand:	Caliber: # Shots:
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

See Other Side

Officer Involved Shooting Suspect Information

URN: 016-02215-0294-013

Suspect Information

S 1

Last Name: Rodriquez		First Name: Eduardo	M.I. E.
AKA Last Name: Rodriquez		First Name: Edwin	M.I.
Sex: M Race: H	Street Address: [redacted]	City: [redacted]	State & Zip Code: [redacted]
Work Phone:	Home Phone:	Social Security #: [redacted]	Driver's License #: [redacted]
Age: 26 D.O.B. 11/05/91	Height: 5'06" Weight: 145	FBI #: [redacted]	CII #: [redacted]
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☑	Coroner Case # 2016-01261	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☑	Apprehended? ☐	Mental Illness? ☐	Criminal History? [redacted]
Vehicle Make: Nissan		Model: Quest	Year: 2000

S

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

Officer Involved Shooting

RN: 016-02215-0294-013

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
February 14, 2016	0615 hours		

Employee #	Last Name	First Name	M.I.
[redacted]	Carrizosa	Slade	NMN
[redacted]	Knight	Todd	M.
[redacted]	Mannion	Patrick	J.

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(SS) SIG Sauer
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED *(one code per block)*

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
S #1	E #1	FH	NN	.22			NN	NN
S #1	E #1	FH	NN	.22			NN	NN
E #1	S # 1	FH	SW	9mm	Y	Y	GS	AD
E #2	S #1	FH	BR	9mm	Y	Y	GS	AD
E #2	S #1	FH	BR	9mm	Y	Y	GS	HE

SH-R-438A (rev. 04/18/13)

See Front Side

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

INVESTIGATIVE SUMMARY

INCIDENT: **On-duty hit shooting, suspect deceased**

IAB FILE NUMBERS: **SH 2395472 / FO 2395476**

URN#: **016-02215-0294-013**

DATE/TIME: **February 14, 2016, 0350 hours**

LOCATION: **4840 Whittier Boulevard, East Los Angeles**

SUMMARY

On February 14, 2016, an Internal Affairs Bureau (IAB) team comprised of Lieutenant Slade Carrizosa, #[redacted] Sergeants Todd Knight, #[redacted] and Patrick Mannion, #[redacted] responded to the unincorporated area of East Los Angeles regarding an on-duty deputy involved hit shooting. The shooting resulted in the death of Suspect Eduardo Rodriguez (Suspect Rodriguez).

Detectives Raymond Lugo, #[redacted] and Joseph Ramirez, #[redacted] from the Los Angeles County Sheriff's Department Homicide Bureau assumed control of the investigation. For further information regarding the investigation conducted by Homicide Bureau refer to the Homicide case book under file number 016-02215-0294-013 **[EXHIBIT A, DVD]**.

SYNOPSIS

On February 14, 2016, at approximately 0340 hours, Sergeant [redacted] and Deputy [redacted] were working East Los Angeles Station (ELA), [redacted] on [redacted] At the time of this incident, Sergeant [redacted] was an auto-theft detective assigned to ELA station.

Sergeant [redacted] and Deputy [redacted] drove through the Top Value Market parking lot because they heard a car door slam. As they drove through the relatively empty parking lot, their attention was drawn to a blue minivan (suspect's vehicle) driven by a female Hispanic (Witness [redacted] which was parked in close proximity to a black Acura Integra that was partially stripped. Sergeant [redacted] recognized the Acura as a possible stolen vehicle. Sergeant [redacted] drove out of the parking lot and around the block.

IAB Note: The stripped vehicle (1993 Acura Integra, black, two door, CA license plate #[redacted]) was a stolen Vehicle reported by Long Beach Police Department (File #1600-8450) Exhibit A, pages 96-104.

As they drove south on Ferris Avenue, they saw the suspect's vehicle directly in front of them. They noticed there were three occupants and the suspect's vehicle had an equipment violation. Based on the equipment violation, coupled with their observation of the suspect's close proximity to the possible stolen vehicle, they chose to conduct a traffic stop.

Sergeant [redacted] activated his overhead red and blue lights and the suspect's vehicle stopped on the west curb line off Ferris Avenue, just south of Whittier Boulevard. Sergeant [redacted] positioned his patrol vehicle off-set behind the suspect's vehicle. As he approached the driver, Deputy [redacted] simultaneously approached the passenger side of the suspect's vehicle. He ordered everyone inside to show their hands and the occupants complied. Sergeant [redacted] noticed the rear passenger's (Witness [redacted]) hands were dirty, "like someone's been working on cars or somebody using grease" **(Sergeant [redacted] transcripts, page 12)**. Sergeant [redacted] and Deputy [redacted] noticed the front passenger, Suspect Rodriguez, kept putting his hands down and, "I ordered him approximately two, three times to put his hands on the dashboard" **(Sergeant [redacted] transcripts, page 12)**.

Sergeant [redacted] told Deputy [redacted] to request back-up because Suspect Rodriguez was uncooperative. Deputy [redacted] requested back-up via the ELA dispatch channel **[EXHIBIT A, disc 1 0346 hours]**. Sergeant [redacted] and Deputy [redacted] remembered units arrived within seconds, including Sergeant [redacted] **[EXHIBIT A, disc 1 0348 hours]**. Deputies [redacted], [redacted], and Alatorre, walked to the passenger side of the suspect's vehicle, to assist Deputy [redacted] Sergeant [redacted] removed Witness [redacted] from the driver's seat and handed her to Deputy Huerta to be searched.

Sergeant [redacted] directed Deputy [redacted] to remove Suspect Rodriguez. Deputy [redacted] reached into the open window and opened the front passenger's door using the inside handle. As Suspect Rodriguez exited the passenger's side of the suspect's vehicle, Sergeant [redacted] saw a firearm partially concealed in Suspect Rodriguez' waistband. Sergeant [redacted] yelled, "417."

IAB Note: "417" is a Los Angeles County Sheriff's Department radio code for gun or person with a gun.

Suspect Rodriquez became combative and a struggle ensued between Suspect Rodriguez and Deputies [redacted] Alatorre, [redacted] and [redacted]. Deputies [redacted] Alatorre, [redacted] and [redacted] attempted to gain control of Suspect

Rodriguez' hands to prevent him from retrieving his firearm. Suspect Rodriguez broke free from Deputies [redacted] Alatorre, [redacted] and [redacted] grasp and ran to the front of the suspect's vehicle. Deputies [redacted] Alatorre, and [redacted] attempted to grab Suspect Rodriguez, but could not maintain a firm hold on him. Deputy [redacted] said he saw Suspect Rodriguez bend at the waist as if he was attempting to grab something. Deputy [redacted] grabbed Suspect Rodriguez' jacket and, "threw a few knees, maybe two to three knees approximately." Only one knee strike landed on Suspect Rodriguez' head, but lacked any effect on him. Deputy [redacted] then lost his balance and fell on the ground **(Deputy [redacted] transcripts, pages 17 and 18)**.

The struggle continued onto the middle of the street [on Ferris Avenue] moving in a southerly direction. Suspect Rodriguez faced Deputies [redacted] and Alatorre when he crouched forward, at the waist, and reached for his waistband. Deputies [redacted] and Alatorre believed Suspect Rodriguez attempted to retrieve his firearm. Fearing for their lives, they shot at Suspect Rodriguez. Suspect Rodriguez was struck and fell to the ground, landing face down with both hands under his body. Suspect Rodriguez moved his left shoulder while on the ground. Deputy Alatorre gave Suspect Rodriguez commands to place his hands out away from his body. Suspect Rodriguez moved his left shoulder in an upward motion and Deputy Alatorre believed Suspect Rodriguez was arming himself. Deputy Alatorre, fearing for his and his partners lives, shot at Suspect Rodriguez a second time. Suspect Rodriguez stopped moving.

Immediately after the first volley of gunshots, Deputy [redacted] requested emergent radio traffic and advised there was a deputy involved shooting (DIS). While the frequency was open, it appeared one shot was heard over the radio **[EXHIBIT A, disc 1 0350 hours]** and emergency medical services were requested for Suspect Rodriguez.

DISTRICT ATTORNEY'S LETTER OF OPINION

The Justice System Integrity Division of the Los Angeles County District Attorney's Office reviewed the fatal shooting of Suspect Rodriguez by Deputies Andrew Alatorre and [redacted]. In their letter of opinion **[EXHIBIT B]**, dated June 11, 2018, Deputy District Attorney Shannon Presby concluded Deputies Andrew Alatorre and [redacted] acted lawfully in self-defense.

INVOLVED EMPLOYEE AND WORK HISTORY

[redacted] Deputy Sheriff, #[redacted]

[redacted]

Date of Employment: [redacted]

Date Assigned to Patrol/[redacted] [redacted]
Date Completed Patrol Training: [redacted]
Prior Shooting incident(s): [redacted]
Prior Founded Force Incidents: [redacted]

Equipment Worn On Person

On February 14, 2016, Deputy [redacted] was wearing a long sleeve Class "A" uniform, a bullet resistant vest, including a Sam Browne duty belt. The equipment on [redacted] duty belt included: two fully loaded Department issued magazines, handheld radio, expandable baton, handcuffs, Smith & Wesson, model M&P, 9mm, semiautomatic pistol, Serial Number HP[redacted], keys, and Oleoresin spray (OC).

INVOLVED EMPLOYEE AND WORK HISTORY

Andrew Alatorre, Deputy Sheriff, #[redacted]

Central Patrol Division
East Los Angeles Station
[redacted]
Date of Employment: July 30, 2008
Date Assigned to Patrol/ELA Station: April 5, 2015
Date Completed Patrol Training: [redacted]
Prior Shooting incident(s): 1
Prior Founded Force Incidents: None

Equipment Worn On Person

On February 14, 2016, Deputy Alatorre was wearing a long sleeve Class "A" uniform, a bullet resistant vest, including a Sam Browne duty belt. The equipment on his duty belt included: two fully loaded Department issued magazines, expandable baton, handheld radio, single magazine, handcuffs, Beretta, model 92FS, 9mm, semiautomatic pistol, Serial Number BER[redacted] keys, and Oleoresin spray (OC).

SUSPECT INFORMATION (DECEASED)

Eduardo Edwin Rodriguez
Male, Hispanic, DOB: November 11, 1991, 5'06", 160 pounds
[redacted]
CII #[redacted] MAIN #, FBI #[redacted]

IAB Note: A copy of Suspect Rodriguez' criminal history is included in the Homicide Investigation Book [EXHIBIT A, pages 155-161].

SUSPECT'S AUTOPSY

On February 15, 2016, a post-mortem examination was conducted of the remains of Suspect Rodriguez by Doctor Ogbonna Chinwah at the Los Angeles County Coroner's Office. It was determined Suspect Rodriguez' death was caused by multiple gunshot wounds **[EXHIBIT A, pages 180-187]**. A laboratory summary for toxicology screening **[EXHIBIT A, page 198]** was completed. Suspect Rodriguez' blood tested positive for marijuana and methamphetamine.

DEPUTY PERSONNEL INJURIES

No deputies were injured during the course of this incident.

PHYSICAL EVIDENCE

All physical evidence was located and collected by Los Angeles County Sheriff's Department Homicide Bureau and Scientific Services Bureau personnel. A description of the evidence collected, and where it was collected from, is documented in **[EXHIBIT A, pages 50-62]**.

INVESTIGATOR'S OBSERVATIONS

The scene is described in detail by Homicide Investigators Adam Kirste, #[redacted], and Sergeant Robert Gray, #[redacted] **[EXHIBIT A, pages 50-62]**. Their description of the scene was consistent with IAB Investigator's observations. The scene was also photographed by the aforementioned Sheriff's crime lab personnel **[EXHIBIT A, disc 2]**.

WEAPON USED BY DEPUTY [redacted]

Deputy [redacted] fired four rounds of Department issued 9mm ammunition from her Department issued Smith & Wesson M&P, semiautomatic pistol. The firearm was examined by Senior Criminalist April Wong, #[redacted], of the Scientific Services Firearms Identification Section and found to be functional **[EXHIBIT A, pages 139-141]**.

Date last qualified: [redacted]
Date last trained with weapon: [redacted]

WEAPON USED BY DEPUTY ALATORRE

Deputy Alatorre fired sixteen rounds of Department issued 9mm ammunition from his Department issued Beretta 92FS, semiautomatic pistol. The firearm was examined by Senior Criminalist April Wong, of the Scientific Services Firearms Identification Section and found to be functional **[EXHIBIT A, pages 139-141]**. Deputy Alatorre's firearm was also examined by Forensic Identification Specialist

Cynthia Fortier, #[redacted] of the Chemical Processing Section, Scientific Services Bureau, for latent prints. No prints were developed **[EXHIBIT A, pages 137 and 138]**.

Date last qualified: [redacted]
Date last trained with weapon:

WEAPONS USED BY SUSPECT RODRIGUEZ

Suspect Rodriguez attempted to use a .22 caliber revolver and attempted to take Deputy Alatorre's handgun from his holster. The .22 caliber revolver was reported stolen out of Nevada County Sheriff's Office under case number 11501844 **[EXHIBIT A, stolen item #5 pages 113-136]**.

PROPERTY DAMAGE BY SUSPECT RODRIGUEZ

None.

CRIMINAL INVESTIGATORS AND CHARGES FILED

The criminal investigation into the shooting was handled by Detectives Lugo and Ramirez of the Los Angeles County Sheriff's Department Homicide Bureau. No charges were filed as the result of this incident.

LIGHTING AND WEATHER CONDITIONS

The scene was illuminated by an overhead street light at the location. The weather was clear and cool.

STATEMENTS

The following narratives are intended only as a synopsis of the interviews. Additional information and precise wording may be obtained by reviewing the digitally audio recorded interviews and verbatim transcriptions. IAB investigators reviewed reports authored by the involved deputies.

WITNESS SERGEANT [redacted]

Homicide Interview

On February 14, 2016, Sergeant [redacted] was interviewed by Homicide Detectives Daniel Morris, #[redacted], and Richard Tomlin, #[redacted]. The interview was summarized and transcribed in the Homicide Case Book **[EXHIBIT A, pages 38-40]**.

IAB Interview

On January 4, 2019, Sergeant [redacted] was interviewed by IAB investigators. The interview was conducted at the IAB office. Sergeant [redacted] was represented by Attorney Elizabeth Gibbons. IAB investigators presented two photographs of the incident location to Sergeant [redacted]. Sergeant [redacted] utilized both photographs to illustrate his position when the DIS occurred. The photographs are attached as **EXHIBIT C**, photo's #1 and #2.

Sergeant [redacted] was working an overtime [redacted] shift as [redacted] in a two-man unit. His partner was Deputy [redacted]. He was the driver and Deputy [redacted] was the passenger. Sergeant [redacted] conducted a traffic stop of the suspect's vehicle on Ferris Avenue, just south of Whittier Boulevard. Sergeant [redacted] asked Witness [redacted] to exit the vehicle and she complied. He escorted her to Deputy Argelia Huerta and asked her to search Witness [redacted]. Sergeant [redacted] returned to the suspect's vehicle driver's side, and positioned himself in the "A" frame. He told Deputy [redacted] "go ahead take him out," referring to Suspect Rodriguez. Prior to Suspect Rodriguez exiting, he leaned to his right and, "his shirt or jacket lifted and that's when I was able to see the barrel of the gun." Sergeant [redacted] yelled, "417!" **(Sergeant [redacted] transcripts, page 19)**.

Deputy [redacted] attempted to grab Suspect Rodriguez' right arm as he exited the suspect's vehicle. Sergeant [redacted] re-focused his attention to Witness [redacted]. Sergeant [redacted] told Witness [redacted], "Hey, man, let me see your hands. Do not move. Do you have any weapons?" Witness [redacted] told Sergeant [redacted] he did not have any weapons **(Sergeant [redacted] transcripts, page 21)**. Witness [redacted] placed his hands and head on the driver's seat headrest. Witness [redacted] only lifted his head to look directly at Sergeant [redacted] to answer his questions.

Sergeant [redacted] could not see the incident unfolding between Deputy [redacted] and Suspect Rodriguez because the roof line of the suspect's vehicle obstructed his view and his attention was focused on Witness [redacted]. He could hear deputies yelling, but could not understand what was being said. Approximately three to four seconds later, Sergeant [redacted] heard the first volley of gunfire behind him. He continued to communicate with Witness [redacted] when, a second or two later, he heard the second volley of gunfire, "I hear…then I hear more commotion. It's like loud. And then another two, three shots" (**Sergeant [redacted] transcripts, pages 25 and 36)**.

He turned to look in the direction of the gunfire to ensure his partners were not shot. He saw Suspect Rodriquez on the ground with Deputies [redacted] Alatorre, [redacted] and Sergeant [redacted] standing around Suspect Rodriguez. Sergeant [redacted] detained Witness [redacted] because, based on his experience, multiple occupants of traffic stops can possess multiple weapons;

therefore, he was fearful Witness [redacted] was in possession of a weapon and would use it on him or his partners.

Sergeant [redacted] attempted to put out "10-33" traffic, but Deputy [redacted] told him he would do it. Sergeant [redacted] did not remember hearing the radio traffic or who requested an ambulance. Witness [redacted] was subsequently removed from the suspect's vehicle, searched, and placed in a patrol vehicle without incident.

IAB NOTE: "10-33" is an LASD radio code to request emergency access to the dispatch channel.

WITNESS SERGEANT [redacted]

Homicide Interview

On February 14, 2016, Sergeant [redacted] was interviewed by Homicide Detectives Morris and Tomlin. The interview was summarized and transcribed in the Homicide Case Book **[EXHIBIT A, pages 41-43]**.

IAB Interview

On December 19, 2018, Sergeant [redacted] was interviewed by IAB investigators. The interview was conducted at the IAB office. Sergeant [redacted] was represented by Attorney Teresa O'Neil. IAB investigators presented one photograph of the incident location to Sergeant [redacted] Sergeant [redacted] utilized the photograph to illustrate his position when the DIS occurred. The photograph is attached as **EXHIBIT D**, photo #1.

Sergeant [redacted] was working EM shift as unit 20S. Sergeant [redacted] responded to [redacted] back-up request at Ferris Avenue and Whittier Boulevard. He arrived simultaneously with Deputies Huerta and [redacted] Sergeant [redacted] exited his patrol vehicle and positioned himself at the rear passenger side of the suspect's vehicle. Sergeant [redacted] was on the suspect's vehicle driver's side and Deputy [redacted] was at the passenger's front door. Deputy [redacted] was in front of Sergeant [redacted] near Deputy [redacted] Sergeant [redacted] saw a female driver (Witness [redacted], front seat passenger (Suspect Rodriquez), and a rear passenger (Witness [redacted].

Sergeant [redacted] removed Witness [redacted] and handed her to Deputy Huerta. Deputy Huerta walked Witness [redacted] to a patrol vehicle to search her. Sergeant [redacted] remembered Deputy Alatorre walked up to the suspect's vehicle and stood near Deputy [redacted] Sergeant [redacted] returned to the driver's side and told Deputy [redacted] to remove Suspect Rodriguez from the suspect's vehicle. Deputy [redacted] opened the front passenger's door and Suspect Rodriguez began to step out of the suspect's vehicle. As Suspect Rodriguez

exited the suspect's vehicle, Sergeant [redacted] yelled, in a very distinct, loud voice, "417 he has a gun!" **(Sergeant [redacted] transcripts, page 11)**. As Suspect Rodriguez exited the suspect's vehicle, Deputies [redacted] and Alatorre pinned him against the "A" frame and attempted to gain control of his hands. Sergeant [redacted] moved forward and positioned himself to the left of the door and told Suspect Rodriguez, "we know you have a gun, you have to listen to us. Stop playing around!" **(Sergeant [redacted] transcripts, page 12)**. Suspect Rodriguez struggled to break free from Deputies [redacted] and Alatorre. Sergeant [redacted] remembered deputies assisted Deputies [redacted] and Alatorre, but could not remember who they were. Suspect Rodriguez used both of his hands to grab the door frame of the open window. Sergeant [redacted] grabbed Suspect Rodriguez' hands to prevent him from reaching for his gun **(Sergeant [redacted] transcripts, page 13)**. Sergeant [redacted] said, "In my mind we were fighting with somebody that had a gun" **(Sergeant [redacted] transcripts, page 15)**.

Suspect Rodriguez broke free from deputies, including Sergeant [redacted] and moved to the middle of the street. Deputies continued grabbing Suspect Rodriguez' oversized clothing, but could not get a hold of his body. Deputies repeatedly gave Suspect Rodriguez commands, but he refused to comply. Deputy Alatorre "bear" hugged Suspect Rodriguez and attempted to take him to the ground. Suspect Rodriguez broke free from Deputy Alatorre's "bear" hug, causing Suspect Rodriguez' sweatshirt to come off. Sergeant [redacted] saw Suspect Rodriguez wearing a black back brace or weight belt. It is Sergeant [redacted] experience that gang members use back braces or weight belts to conceal guns **(Sergeant [redacted] transcripts, page 19)**. Simultaneously, when Suspect Rodriguez escaped from Deputy Alatorre's "bear" hug, he faced Deputy Alatorre, when Sergeant [redacted] heard Deputy [redacted] say, "he's got a gun, he's got a gun, shoot him, shoot him!" **(Sergeant [redacted] transcripts, page 20)**. Within a second, Sergeant [redacted] heard and saw Deputies Alatorre and [redacted] shoot at Suspect Rodriguez. Sergeant [redacted] saw the muzzle flash coming from Deputies Alatorre and [redacted] guns. He estimated that Deputies Alatorre and [redacted] fired eight to ten rounds between the two of them. Suspect Rodriguez fell to the ground, facing away from deputies, with his hands underneath his body.

Sergeant [redacted] saw Suspect Rodriguez moving and believed he was attempting to get a good angle to retrieve a weapon and turn on them. Sergeant [redacted] yelled commands at Suspect Rodriguez, but he did not comply **(Sergeant [redacted] transcripts, page 27)**. Sergeant [redacted] began to formulate a plan to approach Suspect Rodriguez, when he heard gunfire and saw muzzle flashes from Deputy Alatorre's gun.

Suspect Rodriguez stopped moving after the second volley of gunfire at which time, Sergeant [redacted] told Deputy Navarro or [redacted] to get the shield.

This was the first time Sergeant [redacted] was aware Deputies Navarro and [redacted] were on scene. Sergeant [redacted] formulated a tactical plan to approach Suspect Rodriguez. Deputies used a shield to approach, handcuff, and render aid to Suspect Rodriguez. Sergeant [redacted] returned to the suspect's vehicle where deputies were detaining Witness [redacted] Sergeant [redacted] walked to the passenger side and saw a gun laying between the gutter and the suspect's vehicle.

Throughout the entire incident, Sergeant [redacted] believed Suspect Rodriguez was armed. Sergeant [redacted] thought they were in a life threatening situation. Sergeant [redacted] felt, "by far the scariest thing that I had on my - on the department. We're dealing with a guy that had a gun" **(Sergeant [redacted] transcripts, page 33)**.

WITNESS DEPUTY [redacted]

Homicide Interview

On February 14, 2016, Deputy [redacted] was interviewed by Homicide Detectives Morris and Tomlin. The interview was summarized and transcribed in the Homicide Case Book **[EXHIBIT A, pages 48-49]**.

IAB Interview

On December 17, 2018, Deputy [redacted] was interviewed by IAB investigators. The interview was conducted at the IAB office. Deputy [redacted] was represented by Attorney Sherry Lawrence. IAB investigators presented one photograph of the incident location to Deputy [redacted] Deputy [redacted] utilized the photograph to illustrate his position when the DIS occurred. The photograph is attached as **EXHIBIT E**, photo #1.

Deputy [redacted] was working [redacted] shift, [redacted] in a two man-unit. His partner was Deputy Mariscal-Cruz. Deputy [redacted] was the driver and Deputy Mariscal-Cruz was the passenger. Deputies [redacted] and Mariscal-Cruz responded to [redacted] back up request and arrived at Ferris Avenue and Whittier Boulevard. Deputy [redacted] parked their patrol vehicle on the south curb line of Whittier Boulevard, facing east. Deputy [redacted] exited his patrol vehicle and walked south on Ferris Avenue, toward the suspect's vehicle. He saw Deputies [redacted], [redacted], and Sergeant [redacted] attempting to gain control of Suspect Rodriguez outside of the suspect's vehicle. Deputy [redacted] tried to place Suspect Rodriguez' hands behind his back and Sergeant [redacted] was giving Suspect Rodriguez verbal commands. Deputy [redacted] saw Suspect Rodriguez tensing up as Deputy [redacted] struggled to control his hands which were down near his waist.

Suspect Rodriguez broke free from Deputy [redacted] grasp, but [redacted] remained in close proximity to him as he ran to the front of the suspect's vehicle. Deputy [redacted] moved to the front of the suspect's vehicle and deployed his TASER. Deputy Alatorre "bear" hugged Suspect Rodriguez pinning his arms down to his side. Deputy [redacted] announced he had a TASER, when he heard Deputy [redacted] say Suspect Rodriguez had a gun **(Deputy [redacted] transcripts, page 9)**. Deputy [redacted] attempted to re-holster his TASER, but it fell to the ground. Deputy [redacted] un-holstered his firearm when he saw Suspect Rodriguez had broken free from Deputy Alatorre's "bear" hug and was crouching forward. Deputy [redacted] was standing behind Deputies [redacted] and Alatorre when he saw them shoot Suspect Rodriguez. Deputy [redacted] felt it was a life threatening situation because he thought Suspect Rodriguez had a gun. Deputy [redacted] did not shoot because Deputies [redacted] and Alatorre were standing in front of him **(Deputy [redacted] transcripts, pages 20 and 21)**. After Suspect Rodriguez was shot, he fell down, face first, with his arms underneath his torso. Deputy [redacted] saw his left arm moving and he heard Deputy [redacted] say, "He's moving, he's moving." Deputy [redacted] saw Deputy Alatorre shoot Suspect Rodriguez a second time.

Deputy [redacted] and Sergeant [redacted] formulated a plan to approach Suspect Rodriguez. Deputy [redacted] placed the shield on Suspect Rodriguez while he was searched. Shortly thereafter, emergency medical services were requested and arrived.

WITNESS JESUS MARISCAL-CRUZ

Homicide Interview

On February 14, 2016, Deputy Jesus Mariscal-Cruz was interviewed by Homicide Detectives Morris and Tomlin. The interview was summarized and transcribed in the Homicide Case Book **[EXHIBIT A, pages 40-41]**.

IAB Interview

On January 30, 2019, Deputy Mariscal-Cruz was interviewed by IAB investigators. The interview was conducted at the IAB office. Deputy Mariscal-Cruz was represented by Attorney Elizabeth Gibbons. IAB investigators presented one photograph of the incident location to Deputy Mariscal-Cruz. Deputy Mariscal-Cruz utilized the photograph to illustrate his position when the DIS occurred. The photograph is attached as **EXHIBIT F**, photo #1.

Deputy Mariscal-Cruz was working [redacted] shift, [redacted] in a two-man unit. His partner was Deputy [redacted]. Deputy Mariscal-Cruz was the passenger and Deputy [redacted] was the driver. Deputies Mariscal-Cruz and [redacted] responded to [redacted] back-up request and arrived at Ferris Avenue and Whittier Boulevard. They parked their patrol vehicle on Whittier Boulevard, facing east. Deputy

Mariscal-Cruz exited his patrol vehicle and walked to the passenger side of the suspect's vehicle to assist Deputies [redacted], Alatorre, and [redacted]. He saw Sergeant [redacted] on the driver's side of the suspect's vehicle, detaining the driver. Deputy Mariscal-Cruz stopped at the rear passenger door and focused his attention on Witness [redacted] who was seated in the rear of the suspect's vehicle, behind the driver side. Deputy Mariscal-Cruz heard deputies giving Suspect Rodriguez commands to stop moving and to let them see his hands **(Deputy Mariscal-Cruz' transcripts, pages 11 and 12)**.

Sergeant [redacted] instructed Witness [redacted] to exit the suspect's vehicle and he passed her off to Deputy Huerta. Sergeant [redacted] returned to the driver's side and positioned himself at the "A" frame. Prior to Suspect Rodriguez exiting the suspect's vehicle, Sergeant [redacted] yelled, "He's got a 417! He's got a 417!" Deputy Mariscal-Cruz focused on Witness [redacted] "because knowing that the area is a gang-infested area, and if one person in the vehicle has a gun, we were always trained that maybe the passenger or maybe another person might have another gun" **(Deputy Mariscal-Cruz' transcripts, page 16)**. Immediately after Deputy Mariscal-Cruz heard Sergeant [redacted] yell 417, the passenger's door opened. Deputies [redacted], [redacted] and Alatorre attempted to grab Suspect Rodriguez as they pulled him out of the suspect's vehicle. Deputy Mariscal-Cruz saw Suspect Rodriguez pushing, punching, and swinging his hands toward deputies.

After Suspect Rodriguez was pulled out of the suspect's vehicle, he began throwing punches at Deputy [redacted]. Deputy [redacted] punched and used knee strikes at Suspect Rodriguez. Deputy Mariscal-Cruz then moved forward to the "A" frame of the passenger's door to get a better view of Witness [redacted]. Deputy Mariscal-Cruz heard Deputy [redacted] yell, "He's got a gun. He's got a gun," then he heard gunfire. Deputy Mariscal-Cruz turned to look and saw Deputies [redacted] and Alatorre shooting. Deputy Mariscal-Cruz heard approximately ten to fifteen gun shots **(Deputy Mariscal-Cruz transcripts, page24)**.

Deputy Mariscal-Cruz re-focused his attention to Witness [redacted] and ordered him not to move. Witness [redacted] had his hands and head on the headrest. A second or two after the first volley of gunfire, Deputy Mariscal-Cruz heard a second volley of gunfire. There were approximately four shots fired. Immediately after the second volley of gunfire, he heard radio traffic advising of a DIS.

Prior to Witness [redacted] being removed from the suspect's vehicle, Deputy Mariscal-Cruz saw a gun between the suspect's vehicle and the curb. Deputy Mariscal-Cruz was really scared because he believed Suspect Rodriguez and Witness [redacted] were armed at the time of the DIS **(Deputy Mariscal-Cruz' transcripts, pages 37 and 39)**.

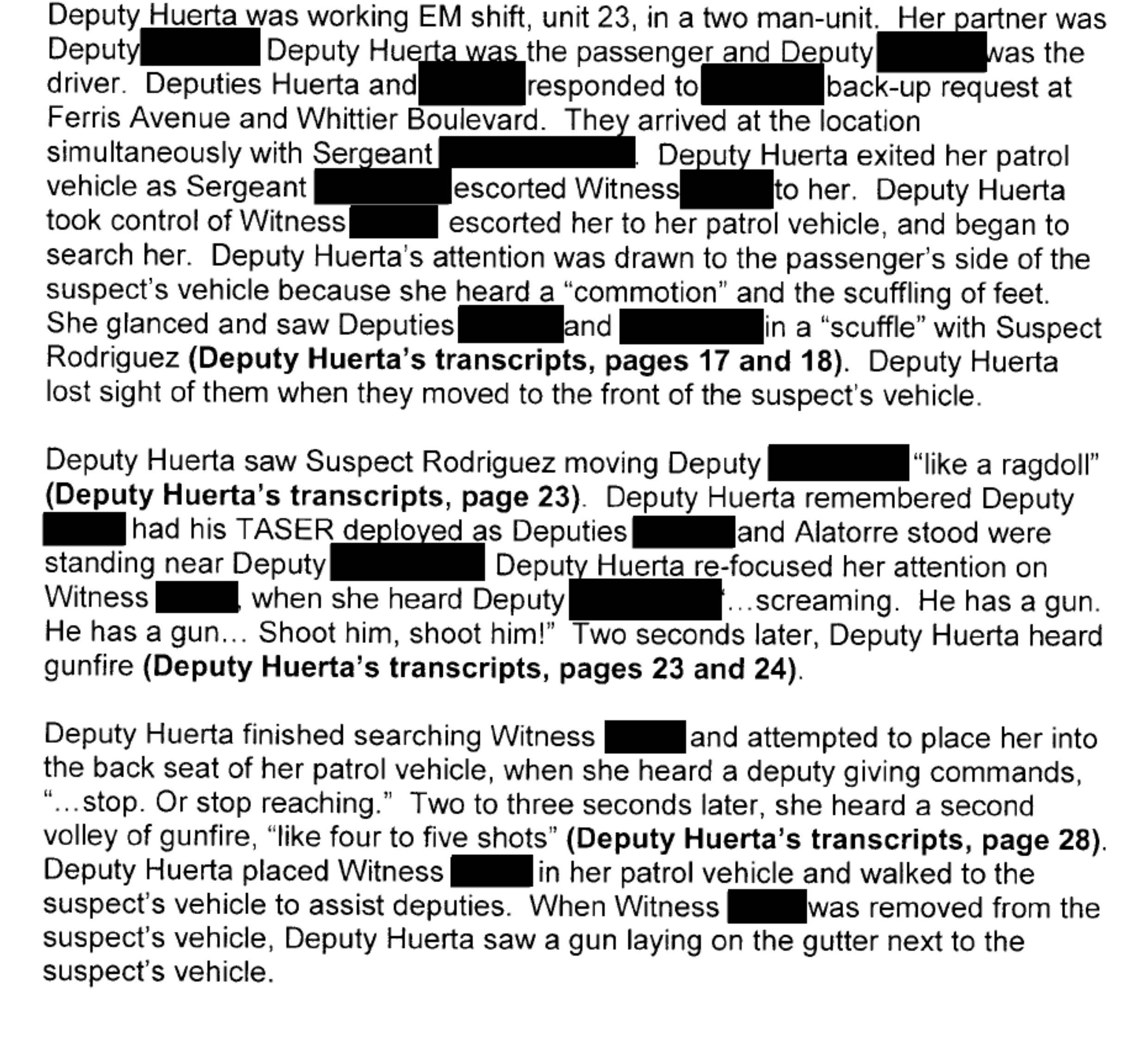
WITNESS DEPUTY ARGELIA HUERTA

Homicide Interview

On February 14, 2016, Deputy Argelia Huerta was interviewed by Homicide Detectives Morris and Tomlin. The interview was summarized and transcribed in the Homicide Case Book **[EXHIBIT A, pages 44-45]**.

IAB Interview

On February 6, 2019, Deputy Huerta was interviewed by IAB investigators. The interview was conducted at the IAB office. Deputy Huerta was represented by Attorney Elizabeth Gibbons. IAB investigators presented one photograph of the incident location to Deputy Huerta. Deputy Huerta utilized the photograph to illustrate her position when the DIS occurred. The photograph is attached as **EXHIBIT G**, photo #1.



Deputy Huerta was working EM shift, unit 23, in a two man-unit. Her partner was Deputy [redacted] Deputy Huerta was the passenger and Deputy [redacted] was the driver. Deputies Huerta and [redacted] responded to [redacted] back-up request at Ferris Avenue and Whittier Boulevard. They arrived at the location simultaneously with Sergeant [redacted]. Deputy Huerta exited her patrol vehicle as Sergeant [redacted] escorted Witness [redacted] to her. Deputy Huerta took control of Witness [redacted] escorted her to her patrol vehicle, and began to search her. Deputy Huerta's attention was drawn to the passenger's side of the suspect's vehicle because she heard a "commotion" and the scuffling of feet. She glanced and saw Deputies [redacted] and [redacted] in a "scuffle" with Suspect Rodriguez **(Deputy Huerta's transcripts, pages 17 and 18)**. Deputy Huerta lost sight of them when they moved to the front of the suspect's vehicle.

Deputy Huerta saw Suspect Rodriguez moving Deputy [redacted] "like a ragdoll" **(Deputy Huerta's transcripts, page 23)**. Deputy Huerta remembered Deputy [redacted] had his TASER deployed as Deputies [redacted] and Alatorre stood were standing near Deputy [redacted] Deputy Huerta re-focused her attention on Witness [redacted], when she heard Deputy [redacted] "...screaming. He has a gun. He has a gun... Shoot him, shoot him!" Two seconds later, Deputy Huerta heard gunfire **(Deputy Huerta's transcripts, pages 23 and 24)**.

Deputy Huerta finished searching Witness [redacted] and attempted to place her into the back seat of her patrol vehicle, when she heard a deputy giving commands, "...stop. Or stop reaching." Two to three seconds later, she heard a second volley of gunfire, "like four to five shots" **(Deputy Huerta's transcripts, page 28)**. Deputy Huerta placed Witness [redacted] in her patrol vehicle and walked to the suspect's vehicle to assist deputies. When Witness [redacted] was removed from the suspect's vehicle, Deputy Huerta saw a gun laying on the gutter next to the suspect's vehicle.

WITNESS [redacted]

Homicide Interview

On February 14, 2016, Deputy [redacted] was interviewed by Homicide Detectives Morris and Tomlin. The interview was summarized and transcribed in the Homicide Case Book **[EXHIBIT A, pages 45-46]**.

IAB Interview

On January 29, 2019, Deputy [redacted] was interviewed by IAB investigators. The interview was conducted at the IAB office. Deputy [redacted] was represented by Attorney Maureen Okwuosa. IAB investigators presented one photograph of the incident location to Deputy [redacted] Deputy [redacted] utilized the photograph to illustrate his position when the DIS occurred. The photograph is attached as **EXHIBIT H**, photo #1.

Deputy [redacted] was on the second half of his double shift, working EM shift, unit 23, in a two-man unit. His partner was Deputy Huerta. Deputy [redacted] was the driver and Deputy Huerta was the passenger. Deputies [redacted] and Huerta responded to [redacted] back-up request and arrived at Ferris Avenue and Whittier Boulevard at the same time as Sergeant [redacted]

Deputy [redacted] exited his patrol vehicle and walked to the passenger's side of the suspect's vehicle to assist deputies. Deputy [redacted] stood behind Deputy [redacted] to keep an eye on Witness [redacted], who was seated in the back seat of the suspect's vehicle. Deputy [redacted] opened the front passenger's door to remove Suspect Rodriguez. As Suspect Rodriguez exited, Sergeant [redacted] yelled, "417, 417!" A struggle ensued as Deputy [redacted] attempted to remove Suspect Rodriguez from the suspect's vehicle. As Suspect Rodriguez exited the suspect's vehicle, Deputy [redacted] saw a revolver fall in the gutter. Deputy [redacted] stepped on the gun and said, "I'm stepping on the gun" **(Deputy [redacted] transcripts, page 15)**.

Suspect Rodriguez continued to struggle with Deputy [redacted] as they moved to the front of the suspect's vehicle. Deputy [redacted] said no one was around the gun on the ground, no one had access to the gun, and he stepped away to assist his partners **(Deputy [redacted] transcripts, page 16)**. As Suspect Rodriguez bent at the waist, Deputy [redacted] "immediately grabbed him and threw a few knees, maybe two to three knees approximately" **(Deputy [redacted] transcripts, page 17)**. Deputy [redacted] lost his balance and fell. Deputies continued grabbing at Suspect Rodriguez, but could not get a hold of him.

As Deputy [redacted] stood himself up, he saw Suspect Rodriguez reaching for his waist and heard Deputy [redacted] yell, "He's got a gun, he's got a gun!" Then he heard approximately ten to twelve gunshots **(Deputy [redacted] transcripts,**

page 19). Deputy [redacted] did not see a gun, but believed that Suspect Rodriguez could have had another gun **(Deputy [redacted] transcripts, page 22)**. Suspect Rodriguez fell to the ground, lying on his hands. He could see Suspect Rodriguez reaching for something at his waist, when Deputy Alatorre fired a second time at, (approximately five to seven shots) Suspect Rodriguez **(Deputy [redacted] transcripts, pages 27 and 28)**. After the second volley of gunfire, Suspect Rodriguez stopped moving. Deputies retrieved a shield, tactically approached, and searched Suspect Rodriguez.

Deputy [redacted] heard on the radio there was a DIS and an ambulance was requested, but he did not remember who initiated the radio traffic.

WITNESS DEPUTY [redacted]

Homicide Interview

On February 14, 2016, Deputy [redacted] was interviewed by Homicide Detectives Morris and Tomlin. The interview was summarized and transcribed in the Homicide Case Book **[EXHIBIT A, pages 47-48]**.

IAB Interview

On February 6, 2019, Deputy [redacted] was interviewed by IAB investigators. The interview was conducted at the IAB office. Deputy [redacted] was represented by Attorney Elizabeth Gibbons. IAB investigators presented one photograph of the incident location to Deputy [redacted] Deputy [redacted] utilized the photograph to illustrate his position when the DIS occurred. The photograph is attached as **EXHIBIT I**, photo #1.

Deputy [redacted] was working EM shift, unit 21, in a two-man unit. His partner was Deputy Alatorre. Deputy [redacted] was the passenger and Deputy Alatorre was the driver. Deputies [redacted] and Alatorre responded to [redacted] back-up request and arrived at Ferris Avenue and Whittier Boulevard. Deputy [redacted] saw Sergeant [redacted] standing at the suspect's vehicle driver's side and Deputy [redacted] standing at the front passenger's side. Deputy [redacted] walked up and stood by Deputy [redacted] Deputies Alatorre and [redacted] positioned themselves behind Deputy [redacted] Deputy [redacted] heard Sergeant [redacted] tell Deputy [redacted] to remove Suspect Rodriguez from the vehicle.

As Deputy [redacted] attempted to open the passenger's door, Suspect Rodriguez began to move his arm down. Deputy [redacted] grabbed his right arm and told him not to move it. Deputy [redacted] opened the door and Deputy [redacted] heard Sergeant [redacted] yell, "417! 417, really loud, it was very loud!" As Suspect Rodriguez was exiting the vehicle, he reached for his waistband. Deputy [redacted] grabbed Suspect Rodriguez' right arm to prevent him from

grabbing something, when Deputy [redacted] saw a gun fall on the ground **(Deputy [redacted] transcripts, pages 11 and 12)**. Deputy [redacted] yelled, "Gun, gun, gun!" Deputy [redacted] then stepped on the gun **(Deputy [redacted] transcripts, pages 15 and 16)**.

Suspect Rodriguez swung his elbows, fighting to get away from Deputy [redacted] grasp. Suspect Rodriguez broke free and moved in front of the suspect's vehicle. Deputies [redacted] and [redacted] re-contacted Suspect Rodriguez by grabbing his right and left arms. Deputy [redacted] told Deputy [redacted] to take Suspect Rodriguez down to the ground, but he broke free from their grasp. Deputy Alatorre "bear" hugged Suspect Rodriguez and Suspect Rodriguez' hands were near Deputy Alatorre's gun. Deputy [redacted] was going to request assistance via his hand held radio, when he heard Deputy [redacted] yell, "he's got a gun, he's got a gun! Shoot him!" Deputy [redacted] drew his firearm and was going to shoot Suspect Rodriguez, but did not shoot because Deputy Alatorre continued struggling with Suspect Rodriguez **(Deputy [redacted] transcripts, pages 19 and 20)**.

Deputy [redacted] re-holstered his firearm and was going to grab Suspect Rodriguez' legs and take him down. Deputy Alatorre and Suspect Rodriguez disengaged from each other and Deputies Alatorre and [redacted] immediately shot Suspect Rodriguez, approximately eight to ten times. Suspect Rodriguez fell to the ground with his hands underneath him. Deputy Alatorre gave Suspect Rodriguez commands to place his hands out to his side. Suspect Rodriguez' shoulders moved and Deputy Alatorre shot a second volley of gunfire, approximately four to five shots **(Deputy [redacted] transcripts, pages 23 and 25)**. Deputy [redacted] believed Suspect Rodriguez had a second gun throughout the entire struggle.

Immediately after the DIS, Deputy [redacted] initiated emergent radio traffic and advised there was a DIS and coordinated units to the location. Sergeant [redacted] took control of the scene and coordinated with deputies to approach Suspect Rodriguez and search him for additional weapons.

INVOLVED EMPLOYEE DEPUTY [redacted]

Homicide Interview

On February 14, 2016, Deputy [redacted] was interviewed by Homicide Detectives Lugo and Ramirez. The interview was summarized in the Homicide Case Book **[EXHIBIT A, pages 27-33]**.

IAB Interview

On February 13, 2019, Deputy [redacted] was interviewed by IAB investigators. The interview was conducted at the IAB office. Deputy [redacted] was

represented by Attorney Maureen Okwuosa. IAB investigators presented two photographs of the incident location to Deputy [redacted]. Deputy [redacted] utilized both photographs to illustrate her position when the DIS occurred. The photographs are attached as **EXHIBIT J**, photo's #1 and #2.

Deputy [redacted] was working [redacted] shift, [redacted] in a two-man unit. [redacted] partner was Sergeant [redacted]. Deputy [redacted] was the passenger and Sergeant [redacted] was the driver. They drove near the Top Value Market parking lot (Whittier Boulevard and Ferris Avenue) because it was known as a drop off location for stolen vehicles. As they drove north on Ferris Avenue, they heard a door slam. They entered the parking lot and noticed the suspect's vehicle. Deputy [redacted] saw a female (Witness [redacted] in the driver's seat as they drove past the suspect's vehicle. Deputy [redacted] conducted a license plate query on the suspect's vehicle and it returned clear. Parked in close proximity to the suspect's vehicle, they noticed a vehicle that appeared to be stripped.

Sergeant [redacted] told Deputy [redacted] they would circle the area to see if they could find anyone on foot that may be related to the stripped vehicle. They exited the parking lot, drove north on Fetterly Street, east on Hubbard Street, and south on Ferris Avenue. The suspect's vehicle exited the parking lot occupied by Witness [redacted] a male (Suspect Rodriguez) in the front passenger's seat, and a male (Witness [redacted] seated behind the driver.

The suspect's vehicle pulled out in front of them and stopped at a red traffic light on Ferris Avenue and Whittier Boulevard. Sergeant [redacted] advised Deputy [redacted] they would conduct a traffic stop on the suspect's vehicle because it had a broken taillight. They initiated their lights and conducted a traffic stop on Ferris Avenue, just south of Whittier Boulevard. As Deputy [redacted] approached the passenger's side of the suspect's vehicle, [redacted] noticed the windows were tinted. [redacted] ordered Witness [redacted] to show his hands and he complied by placing his hands on the back of the driver's headrest. [redacted] moved forward to the front passenger, Suspect Rodriguez, and ordered him to place his hands on the dashboard.

Suspect Rodriguez complied, but hovered his hands over the dashboard. Sergeant [redacted] told Deputy [redacted] to request back-up. Deputy [redacted] focused on Suspect Rodriguez' hands because he kept moving them down toward his waistband, as if he was reaching for something. Deputy [redacted] knew that people typically conceal weapons near their waistband; therefore, [redacted] focused on his hands the entire time **(Deputy [redacted] transcripts, page 17)**.

Sergeant [redacted] had Witness [redacted] exit the suspect's vehicle and passed her to a female deputy (Deputy Huerta) to be searched. Sergeant [redacted] told Deputy [redacted] "Go ahead," and that was Deputy [redacted] "cue" to remove

Suspect Rodriguez from the suspect's vehicle **(Deputy [redacted] transcripts, page 18)**.

Deputy [redacted] wanted to control Suspect Rodriguez' movements because he had been reaching toward his waistband and [redacted] did not want to lose [redacted] visual of his hands. Deputy [redacted] attempted to open the door, but the door handle was broken. [redacted] reached inside the open window with [redacted] left hand and with [redacted] right hand, [redacted] held Suspect Rodriguez' right hand on the dashboard. [redacted] opened the door from inside the suspect's vehicle **(Deputy [redacted] transcripts, page 18)**. A second deputy held Suspect Rodriguez' right hand on the dashboard as [redacted] transitioned [redacted] grasp off Suspect Rodriguez' hand and moved around the door.

Deputy [redacted] grabbed Suspect Rodriguez' right hand with [redacted] right hand. [redacted] attempted to grab his left hand, but Suspect Rodriguez quickly moved his left hand down. Deputy [redacted] believed he was reaching for a gun. [redacted] grabbed his left sleeve, around his wrist, and "pulled his hand out," when [redacted] heard Sergeant [redacted] say, "417! 417!" A struggle ensued inside the suspect's vehicle. Deputy [redacted] was assisted by another deputy in removing Suspect Rodriguez from the suspect's vehicle. Deputy [redacted] did not see the gun, but believed he had a gun; therefore, [redacted] gave Suspect Rodriguez commands not to reach for anything and not to fight **(Deputy [redacted] transcripts, pages 19 and 20)**.

As Suspect Rodriguez exited the suspect's vehicle, Deputy [redacted] used [redacted] body weight against his back, to pin him to the A-frame. Suspect Rodriguez attempted to break free from Deputy [redacted] grasp. Deputy [redacted] felt the presence of deputies assisting [redacted] but did not know who they were. Suspect Rodriguez crouched down at his knees, and broke free from Deputy [redacted] He ran to the front of the suspect's vehicle, where he faced Deputy [redacted] who grasped at his hands and clothing. Suspect Rodriguez violently dragged [redacted] on the ground in a southerly direction. As a result of being dragged, the following day, [redacted] noticed [redacted] nails had lifted from the bed of [redacted] fingers. Throughout the entire struggle, Suspect Rodriguez' hands, "kept motioning around his waistband trying to reach for it," that's where [redacted] assumed the weapon was. Deputy [redacted] shouted, "He has a gun! Shoot him! He has a gun!" [redacted] felt as if Suspect Rodriguez was going to shoot [redacted] and [redacted] braced [redacted] to get shot **(Deputy [redacted] transcripts, pages 25 and 26)**.

Deputy [redacted] immediately drew [redacted] weapon, but did not shoot because Deputy Alatorre was engaged with Suspect Rodriguez. Deputy Alatorre and Suspect Rodriguez were face to face, moving south. Suspect Rodriguez broke free, "but instead of running away because he's gained that distance. Instead of running away, he faces us and goes with both hands to reach toward his waistband." Deputy [redacted] said [redacted] had a clear shot and [redacted] immediately

shot three to four rounds at Suspect Rodriguez **(Deputy [redacted] transcripts, pages 30 and 31)**.

As Deputy [redacted] fired [redacted] weapon, [redacted] heard other gunfire, but did not know who was shooting. Suspect Rodriguez fell to the ground face first with his hands underneath his body. Suspect Rodriguez continued to move his shoulders and Deputy [redacted] thought he was reaching for a weapon. Deputy [redacted] looked for cover and reassessed, when [redacted] heard a second volley of gunfire. Suspect Rodriguez stopped moving after the second volley of gunfire. Deputy [redacted] did not remember which deputies were there, but remembered a tactical plan was formulated. Deputies used a shield as they approached and searched Suspect Rodriguez for weapons.

Deputy [redacted] shot Suspect Rodriguez because, "I strongly believed he still had the gun on him and he didn't turn around to run away. He was still facing us and seeming to want to engage in a gunfight because he went for his waistband. And at the waistband, he had a back brace that looked like maybe a gun holster" **(Deputy [redacted] transcripts, pages 33 and 34)**.

INVOLVED EMPLOYEE DEPUTY ANDREW ALATORRE

Homicide Interview

On February 14, 2016, Deputy Andrew Alatorre was interviewed by Homicide Detectives Lugo and Ramirez. The interview was summarized in the Homicide Case Book **[EXHIBIT A, pages 24-27]**.

IAB Interview

On February 13, 2019, Deputy Alatorre was interviewed by IAB investigators. The interview was conducted at the IAB office. Deputy Alatorre was represented by Attorney Maureen Okwuosa. IAB investigators presented one photograph of the incident location to Deputy Alatorre. Deputy Alatorre utilized the photograph to illustrate his position when the DIS occurred. The photograph is attached as **EXHIBIT K**, photo #1.

Deputy Alatorre was working EM shift, unit 21, in a two-man unit. His partner was Deputy [redacted] Deputy Alatorre was the driver and Deputy [redacted] was the passenger. Deputies Alatorre and [redacted] responded to [redacted] back-up request and arrived at Ferris Avenue and Whittier Boulevard. Sergeant [redacted] Deputies [redacted] and Huerta arrived simultaneously. Deputy Alatorre exited his patrol vehicle and walked onto the sidewalk toward Deputy [redacted] Deputy [redacted] stood near the front passenger's side of the suspect's vehicle. [redacted] gave Suspect Rodriguez commands to stop moving his hands. Deputy Alatorre gave Suspect Rodriguez commands to place his hands on the dash, but Suspect Rodriguez did not comply **(Deputy Alatorre's transcripts, page 11)**.

Deputy Alatorre recognized Suspect Rodriguez from previous contacts and knew he was an associate from the illegal criminal street gang "King Kobras" **(Deputy Alatorre's transcripts, page 13)**.

Deputy [redacted] opened the front passenger's door and attempted to remove Suspect Rodriguez from the suspect's vehicle. As Suspect Rodriguez exited, Deputy Alatorre heard Sergeant [redacted] shout three times, "417!" Deputy Alatorre pinned Suspect Rodriguez against the "A" frame, but Suspect Rodriguez managed to break free and move to the street. Deputy [redacted] was hitting and kneeing Suspect Rodriguez and Deputy Alatorre remembered "thinking his shots aren't taking any effect on this guy at all, I'm not a big guy. My – I'm not gonna be able to manage to take this guy down" **(Deputy Alatorre's transcripts, page 15)**.

Deputy Alatorre pulled Suspect Rodriguez toward him and Suspect Rodriguez "bear" hugged Deputy Alatorre's waist and wrapped his hands around his gun. Deputy Alatorre attempted to create distance from Suspect Rodriguez because he did not want Suspect Rodriguez to take his gun **(Deputy Alatorre's transcripts, page 17)**. Deputy Alatorre managed to knee him once or twice on his head or chin, but it did not have any effect on Suspect Rodriguez. Deputy Alatorre heard Deputy [redacted] "shouting at the top of [redacted] lungs, He's got a gun! "He's got a gun! Shoot him! Shoot him!" Deputy Alatorre pushed Suspect Rodriguez away from him. Suspect Rodriguez crouched at the waist and Deputy Alatorre believed he armed himself with a firearm. Deputy Alatorre felt as if he was going to be shot and he squared his body toward Suspect Rodriguez so that he would get shot on his vest to protect his partners **(Deputy Alatorre's transcripts, pages 17 and 18)**.

Deputy Alatorre drew his firearm and fired from his hip. Suspect Rodriguez turned and fell face down with his hands underneath his waist. Deputy Alatorre gave Suspect Rodriguez commands to place his hands out to his side. Suspect Rodriguez did not comply and raised his left shoulder. Deputy Alatorre believed Suspect Rodriguez was arming himself and fired a second time. Suspect Rodriguez stopped moving. Deputy Alatorre conducted a tactical reload prior to approaching Suspect Rodriguez. He, along with additional deputy personnel approached Suspect Rodriguez to search him.

Deputy Alatorre remembered an officer safety briefing regarding a Los Angeles Police Department (LAPD), Hollenbeck Division officer involved shooting (OIS). The OIS involved the illegal criminal street gang known as the "Indiana Dukes." In response to the OIS, the "Indiana Dukes" gang placed a "green light" on LAPD, Hollenbeck Division officers.

IAB Note: A "green light" is gang slang meaning there is approval to assault or murder someone. 187 is the California penal code for homicide. 187 in

conjunction with LAPD, indicates the gang has no problem killing an LAPD officer.

ADDITIONAL INFORMATION

IAB investigators attempted to contact Witnesses [redacted] and [redacted] at their last known addresses. The IAB investigator left a business card at both locations. The phone numbers for both witnesses no longer belonged to them. At the time of the submission of this case both witnesses have yet to contact IAB investigators.

Prior to this February 14, 2016, DIS, ELA station supervisors briefed station personnel regarding an officer safety notification from the Los Angeles Police Department (LAPD), Hollenbeck Division. On February 8, 2016, ELA station Lieutenant [redacted] #[redacted]eceived an officer awareness email from Hollenbeck Division, Lieutenant [redacted] #[redacted] Lieutenant [redacted] advised that on February 6, 2016, Hollenbeck Division officers were involved in an officer involved shooting (OIS) with a suspect from the illegal criminal street gang known as "Indiana Dukes." The gang placed a "green light" on Hollenbeck Division officers and they had tagged "187 LAPD" graffiti at the location where the OIS occurred **[EXHIBIT L]**.

The "Indiana Dukes" gang area is within ELA station's jurisdiction. The "Indiana Dukes" gang is transitory; however, their gang area predominately consists of East Olympic Boulevard and Indiana Street between Los Palos Street and South Ditman Avenue. Like many gangs, the "Indiana Dukes" commit crimes in neighboring communities. The DIS occurred approximately 1.8 miles from the "Indiana Dukes" gang area and within ELA station's jurisdiction.

IAB investigators transcribed Deputies [redacted] and Alatorre's homicide interviews and submitted them with this case book.